



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): H. Michael Zadikian, Ali Saleh, John C. Adler, Zareh
Baghdasarian, Vahid Parsi

Assignee: Cisco Technology, Inc.

Title: A Method Of Allocating Bandwidth In An Optical Network

Application No.: 10/680,940 Filing Date: October 7, 2003

Examiner: Hanh N. Nguyen Group Art Unit: 2662

Attorney Docket No.: CIS0011C1US Confirmation No.: 6027

Austin, Texas
January 20, 2005

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT

Sir:

Petitioner, Cisco Technology, Inc. a California corporation having a place of business at 170 W. Tasman Drive, San Jose, California, 95134-1706 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,631,134. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

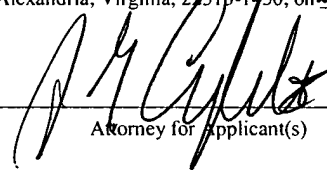
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as

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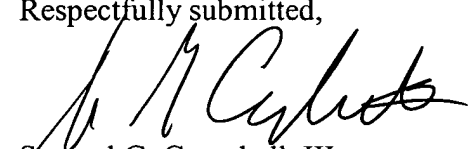
presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$130.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on January 20, 2005.	
 Attorney for Applicant(s)	1/20/05 Date of Signature

Respectfully submitted,


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